

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

**JOHN DOE AND MARY DOE,
the Natural Parents and Guardians of
Their Minor Son, R. DOE,**

Plaintiffs,

v.

**CITY OF BRENTWOOD, TENNESSEE,
A Municipal Corporation; and
OFFICER ERICA PHILLIPS, Individually,**

Defendants.

**NO. 3:03-0710
JUDGE HAYNES**

ORDER


In accordance with the Memorandum filed herewith, the motion for partial summary judgment of Plaintiffs, John Doe and Mary Doe, the natural parents and guardians of their minor son, R. Doe (Docket Entry No. 26) is **DENIED**. The motion to dismiss and for summary judgment of Defendants City of Brentwood, Tennessee and Officer Erica Phillips (Docket Entry No. 21) is **GRANTED**. In addition, Defendants' motion to strike claims not alleged by Plaintiffs in their complaint (Docket Entry No. 62) is **GRANTED**. All other outstanding motions (Docket Entry Nos. 53, 55, 56 and 61) are **DENIED** as moot.

Plaintiffs' claims arising under 42 U.S.C. § 1983 are hereby **DISMISSED** with prejudice, but Plaintiffs' state law claims are hereby **DISMISSED** without prejudice to refile in state court.

This is the Final Order in this Action.

It is so **ORDERED**.

ENTERED this the 15th day of August, 2005.


WILLIAM J. HAYNES, JR.
United States District Judge